



CALIFORNIA
DEPARTMENT OF
EDUCATION

1430 N STREET
SACRAMENTO, CA
95814-5901

JACK O'CONNELL

State Superintendent of
Public Instruction

PHONE: (916) 319-0800

January 20, 2004

Dear Test Publishers:

Subject: **ERRATA TO THE REQUEST FOR PROPOSALS FOR THE
CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)
ADMINISTRATION**

Enclosed are errata to the Request for Proposals (RFP) for the CAHSEE Administration. The original document was sent to you with a letter dated January 9, 2004. Please use the errata to update your copy of the RFP.

In order to guarantee an official response, to ensure a fair and equal opportunity to all interested bidders, and to avoid any appearance of unfair advantage, all questions, with the exception of questions regarding the Disabled Veteran Business Enterprise (DVBE) Participation Goals, must be submitted in the manner described in Section 4.6 of the RFP and must be received no later than 12:00 noon Pacific Time on January 28, 2004. Please direct questions about the DVBE Participation Goals to the CDE Contracts Office at (916) 322-3050.

Sincerely,

Original signed by
Geno Flores

Geno Flores, Deputy Superintendent
Assessment and Accountability Branch

GF:lw
Enclosures

ERRATA #1 – January 20, 2004

Request for Proposals for the California High School Exit Examination (CAHSEE) Administration

1. Page 37 – Intent to Submit: Insert the following subsection on page 37.

4.6.1 Intent to Submit

CDE will only accept proposals for which a faxed or mailed Intent to Submit form has been received no later than 2:00 p.m. PT on January 29, 2004 (see Appendix 4).

2. Appendix 4 – Intent to Submit: REPLACE with new Appendix 4 (see attached).
3. Page 65 – Step I, Part 3 – Technical Evaluation: Delete the second paragraph in its entirety (see attached).
4. Pages 66 through 72 – Criteria for the Technical Evaluation: REPLACE with new pages 66 through 72 (see attached). The Columns labeled High, Medium, and Low have been deleted. The evaluation of the criteria will not use a rating scale. Only consensus score points will be used to determine if a proposal will be advanced to the bid opening.
5. Attachment 3 California Disabled Veteran Business Enterprise Program Requirements: REPLACE with the complete Attachment 3 (see attached).
6. Attachment 3-A – Documentation of Disabled Veteran Business Enterprise Program Requirements: REPLACE with the complete Attachment 3-A (see attached).
7. Attachment 6 – Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements: REPLACE with the complete Attachment 6 (see attached). The mailed version of the document was misprinted – a portion of a page was blank. The form on the web page is correct.
8. Table of Contents: Delete the referenced page numbers for items 8, 9, and 10 and replace with the following page number references:

8. EVALUATION PROCESS ----- 58

9. CONTRACT AWARD PROTEST PROCEDURES ----- 59

10. FORMAT REQUIREMENTS AND EVALUATION CRITERIA - 60

REVISED 01-15-04
Intent to Submit a Proposal/Bid for the
California High School Exit Examination

Return this Intent to Submit if you plan to submit a proposal/bid to continue in the competitive process for the contract for the California High School Exit Examination (CAHSEE) Administration as advertised in the California State Contracts Register. **The CDE shall only accept proposals for which it has received an Intent to Submit form.** This Intent to Submit **must** be received by mail or fax no later than 2:00 p.m. Pacific Time (PT) on January 29, 2004, at:

California Department of Education
Standards and Assessment Division
California High School Exit Examination
1430 N Street, Suite 5408
Sacramento, CA 95814
Attention: Dana Herron
Fax: (916) 319-0962

_____ I/We intend to submit a proposal/competitive bid for the contract for the California High School Exit Examination (CAHSEE) Administration.

Name of Firm: _____

Individual Contact: _____

Address: _____
Street Address City Zip

Phone #: _____ Fax #: _____

E-mail address: _____

QUESTIONS

The purpose of this Intent to Submit is to provide us information to plan adequately for the review of the proposals and to specifically elicit from you questions that must be of concern to all bidders. Questions, requests for clarification, concerns, and comments from applicants related to this Request for Proposal (RFP) must be prepared and submitted in writing, noting the page number(s) and section(s) from the RFP, and accompanied by the name, fax number, and e-mail address of the person to whom the responses are to be sent. CDE shall make every effort to answer all questions received and provide a list of all the questions submitted and the responses in a timely manner to only those persons who return an Intent to Submit. This response will be posted on the CDE Web site and will be e-mailed only to the parties that submitted an Intent to Submit form by the deadline. Therefore, e-mail addresses must accompany all written questions. **All questions must be received by Dana Herron no later than 12:00 p.m. PT on January 28, 2004, at the address or fax number noted above, or by e-mail (dherron@cde.ca.gov).**

Signature of Bidder's Representative

Date of Submission

Title of Bidder's Representative

Step I, Part 3—Technical Evaluation

A review panel will be convened to evaluate the proposals using a consensus process. The review panel will use the following criteria (page 65-70) to assess the Technical Proposal and obtain a final consensus score.

The total points possible for each section are noted along with the percent of total by section. A minimum of **90 out of 100 possible points (90 percent)** is required for a proposal to be advanced to the bid opening.

Criteria for the Technical Evaluation

3.1 – Maintenance Activities and Project Deliverables	
1.	Assess the quality of the proposal in terms of addressing the required activities (i.e., management meetings; records, minutes, and deliverables; monthly progress reports; web-based project calendar; other meetings; and report specifications).
2.	Assess the capacity of the bidder to provide a web server and Internet capacity to maintain an annual CAHSEE Project Calendar.

3.1 – Maintenance Activities and Project Deliverables

CONSENSUS SCORE: _____ out of 5 points possible

3.2 - Item Development	
1.	Assess the quality of the proposal in terms of the item development activities, including the plan for the creation of new items and test specifications.
2.	Assess the quality of the proposal for recruiting and training item writers.
3.	Assess the quality of the proposal for recruiting participants and conducting content and sensitivity reviews.
4.	Assess the quality of the proposal for conducting appropriate field testing for multiple-choice and writing task items.
5.	Assess the quality of the proposal for maintaining and updating the CAHSEE item bank.

3.2 – Item Development

CONSENSUS SCORE: _____ out of 10 points possible

3.3 - Test Administration
1. Assess the quality of the proposal for the overall test administration plan.
2. Assess the quality of the proposal for test form development.
3. Assess the quality of the proposal for test form construction.
4. Assess the quality of the proposal for the development and production of answer documents.
5. Assess the quality of the proposal for the design and production of test booklets and all other necessary testing materials, including testing manuals.
6. Assess the quality of the proposal for test administration training and materials.
7. Assess the quality of the proposal for the data management, processing and correction systems.
8. Assess the quality of the proposal for the development and implementation of a Pre-ID system with error detection.
9. Assess the quality of the proposal for ordering, packaging, distributing, and retrieving of all testing materials.
10. Assess the quality of the proposal for establishing a customer relations system.
11. Assess the quality of the proposal for data collection for ancillary purposes, including compliance with state (API) and federal (AYP under NCLB) accountability requirements.

3.3 – Test Administration

CONSENSUS SCORE: _____ out of 25 points possible

3.4 – Test Security
1. Assess the quality of the proposal in terms of the test security plan for item security during all item reviews.
2. Assess the quality of the proposal in terms of the plan for test site monitoring before, during and after each test administration.
3. Assess the quality of the proposal for mark discrimination analyses.
4. Assess the quality of the proposal for test security reporting.
5. Assess the capacity of the bidder for providing secure data exchange.
6. Assess the quality of the proposal for maintaining the confidentiality of student results.

3.4 – Test Security

CONSENSUS SCORE: _____ out of 5 points possible

3.5.1 - Scoring
1. Assess the quality of the proposal for scanning and scoring all valid answer documents.
2. Assess the capacity of the bidder to score large volumes of answer documents accurately, efficiently and reliably within the required statutory time frame for reporting results to students.
3. Assess the quality of the proposal for the scoring process, including the training of scoring leaders and readers.
4. Assess the quality of the proposal for handling sensitive writing task responses.
5. Assess the quality of the proposal for data base management aspects, including verification to ensure accuracy.
6. Assess the quality of the proposal for data base management aspects of data correction to ensure accuracy of reports.

3.5.1 – Scoring

CONSENSUS SCORE: _____ out of 10 points possible

3.5.2 – Analysis of Test Results
1. Assess the quality of the proposal for providing a plan for analysis using the CAHSEE scale and conducting calibration, scaling, and equating.
2. Assess the quality of the proposal for the sharing of data for independent analyses, including the evaluation.
3. Assess the quality of the proposal for other proposed requirements, including additional analyses and replication.
4. Assess the quality of the proposal for providing all required item analyses.
5. Assess the quality of the proposal for providing all required summary analyses.

3.5.2 – Analysis of Test Results

CONSENSUS SCORE: _____ out of 10 points possible

3.5.3 – Reporting
1. Assess the quality of the proposal for reporting student results within the required time frame and for the production and delivery of individual student reports.
2. Assess the quality of the proposal for the production and delivery of the annual grade 10 detail data files.
3. Assess the quality of the proposal for the production and delivery of the data files for annual results reporting.
4. Assess the quality of the proposal for providing a data correction process after each test administration.
5. Assess the quality of the proposal for production and delivery of aggregate score reports.
6. Assess the quality of the proposal for providing interpretation materials and workshops.
7. Assess the quality of the proposal for Technical Reports for operational administrations and field testing, and the annual production of the Technical Digest.

3.5.3 – Reporting

CONSENSUS SCORE: _____ out of 10 points possible

Adequacy of Management and Staffing Plan	
1.	Assess the capacity of the bidder to provide an effective management system with appropriate staffing based on the adequacy of the staff organizational plan and prior relevant experience of management team and other identified professional staff (refer to Curriculum Vitae and resumes).
2.	Assess the quality of the technical skills of the management team and other key personnel related to assigned duties.
3.	Assess the adequacy of the management system to ensure adherence to schedules and deadlines.
4.	Assess the adequacy of the management system to ensure high quality products and outcomes.
5.	Assess the adequacy of the management system to identify potential problems early and seek solutions quickly.
6.	Assess the adequacy of the management system to maintain frequent communication with CDE.
7.	Assess the adequacy of the management system for monitoring and controlling project expenditures.

Adequacy of Management and Staffing Plan

CONSENSUS SCORE: _____ out of 15 points possible

Related Experience of Proposed Subcontractors	
1.	Assess the capacity of the subcontractors to perform and administer all assigned duties based on prior experience of subcontractors (refer to resumes).
2.	Assess the experience and ability of the subcontractors with respect to assigned duties, tasks or work to be performed.
3.	Assess the quality of each subcontractor's facilities and equipment to perform assigned duties, tasks, or work.

Related Experience of Proposed Subcontractors

CONSENSUS SCORE: _____ out of 3 points possible **OR** 0 if NA

Related Organizational Experience and Capacity	
1.	Assess the quality of the organizational capacity based on the descriptions of related work performed by the bidder.
2.	Assess the quality of the bidder's facilities and equipment to implement a large-scale assessment program.
3.	Assess organizational capacity in terms of the ability to maintain a reliable server with an Internet connection and furnish all the support services required to provide FTP, pre-identification services, online data correction, web-based Project Calendar, and email support to CAHSEE test coordinators.
4.	Assess organizational capacity in terms of the ability to provide computer equipment and all electronic deliverables, including the electronic item bank, in a PC compatible format able to run in Windows 98, Windows 2000, Windows XP and Microsoft Office 97, Office 2000, and Office XP.

Related Experience of Proposed Subcontractors

CONSENSUS SCORE: _____ out of 5 points possible with subcontractors

OR

Related Experience of Proposed Subcontractors

CONSENSUS SCORE: _____ out of 8 points possible without subcontractors

References	
1.	Assess the bidder's experience with projects of a related size and scope based on the client references related to the services required by this RFP (refer to the five required client references).

References

CONSENSUS SCORE: _____ out of 2 points possible

Final Consensus Score

Section		Possible Points With Subcontractors	Possible Points Without Subcontractors	Consensus Score by Section
3.1	Maintenance Activities and Project Deliverables	5	5	
3.2	Item Development	10	10	
3.3	Test Administration	25	25	
3.4	Test Security	5	5	
3.5.1	Scoring	10	10	
3.5.2	Analysis of Test Results	10	10	
3.5.3	Reporting	10	10	
	Management & Staffing	15	15	
	Related Experience of Proposed Subcontractors	3	0	
	Related Organizational Experience and Capacity	5	8	
	References	2	2	
TOTAL		100	100	

The Total Proposal Score must be equal to or greater than 90 percent of the 100 total possible points to continue to Step 2 (public opening of the envelope containing the cost information).

California Disabled Veteran Business Enterprise Program Requirements (1/04)

AUTHORITY: The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for state contracts is established in Public Contract Code (PCC), Section 10115 et seq., Military and Veterans Code, Section 999 et seq. and California Code of Regulations, Title 2 (2CCR), Section 1896.60 et seq.

The minimum DVBE participation percentage is three percent (3%) for this solicitation.

INTRODUCTION:

To meet the DVBE program requirements, bidders must complete and fully document at least one of the following compliance options:

Option A - Commitment to full DVBE participation - For a bidder who is a DVBE or who is able to meet the commitment to use identified DVBE(s) to fulfill the full DVBE participation goal.

Option B - Good Faith Effort - For a bidder documenting its completed effort, made prior to the bid due date, to obtain DVBE participation that may result in partial or no DVBE participation.

The bidder must document at least one of the options (A and/or B) in this document to comply with this solicitation's DVBE program requirements. Bids or proposals (hereafter called "bids") that fail to fully document one of the DVBE program requirements options shall be considered non-responsive and ineligible for award.

Information submitted by the bidder to comply with this solicitation's DVBE requirements may be verified by the State. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation with this information in accordance with the requirements of the PCC, Section 10115, et seq. and the Military and Veterans Code, Section 999 et seq. and follow the investigatory procedures required by 2CCR, Section 1896.80.

Only State of California, Office of Small Business and DVBE Certification (OSDC) certified DVBEs who perform a commercially useful function relevant to this solicitation may be used to satisfy the DVBE program requirements. The criteria for performing a commercially useful function are contained on page 5, Resources & Information and 2CCR, Section 1896.61(l).

Final determination of either "goal attainment" or "good faith effort" by the bidder shall be at the sole discretion of the CDE.

READ ALL INSTRUCTIONS CAREFULLY. These instructions contain information about the DVBE program requirements, bidder responsibilities, and requirements for performing and documenting each of the available options. Bidders are responsible for thorough review and compliance with these instructions. Document the option selection on the attached CDE form, Documentation of Disabled Veteran Business Enterprise Program Requirements (DVBE1).

Failure to complete and submit the DVBE1 as indicated herein will render the bid non-responsive and eliminate it from further consideration. Note: All dollar amounts must be redacted from the DVBE documentation. Failure to do so will result in the elimination of the bid.

OPTION A – COMMITMENT -- Commit to meet or exceed the DVBE participation requirement in this solicitation by either Method A1 or A2. Bidders must document DVBE participation commitment by completing and submitting the attached DVBE1. Failure to complete and submit DVBE1 shall render the bid non-responsive.

The bidder must provide with its bid a letter of commitment prepared by each selected DVBE subcontractor, including the goods or services being provided and a copy of the OSDC DVBE Certification. Upon contract award the contractor shall enter into a written agreement with each selected DVBE subcontractor. The written agreement will include the DVBE scope of work, work to be performed by the DVBE, term of intended subcontract with the DVBE, anticipated dates the DVBE will perform required work, rate and conditions of payment, total amount of contract to be paid to the DVBE, and the percentage of the entire contract that will be awarded to the DVBE, for each selected DVBE subcontractor. Copies of agreements shall be provided to CDE upon request.

Method A1. Certified DVBE bidder:

- a. The Bidder is a DVBE and commits to performing at least three percent (3%) of the bid amount itself or in combination with other DVBE(s).
- b. Document DVBE participation on DVBE1 (page 1) and attach a copy of the OSDC DVBE certification for bidder and any other DVBE to be used.
- c. A letter of commitment prepared by other participating DVBE subcontractor(s)/supplier(s), including the goods or services being provided and a copy of the OSDC DVBE certification, must be attached to the DVBE1. The CDE may contact each listed DVBE, for verification of the bidder's submitted DVBE information. Failure to submit the letter of commitment as specified, will be grounds for bid rejection.

Method A2. Non-DVBE bidder:

- a. Commit to using OSDC certified DVBE(s) for at least three percent (3%) of the bid amount.
- b. When a bidder commits to less than the required three percent (3%) DVBE participation, then compliance with Option B, Good Faith Effort, is also required in addition to Option A, Commitment.
- c. Document DVBE participation on DVBE1 (page 1) and attach a copy of the OSDC DVBE certification for each participating DVBE subcontractor(s)/supplier(s).
- d. A letter of commitment prepared by participating DVBE subcontractor(s)/supplier(s), including the goods or services being provided, must also be attached to the DVBE1. The CDE may contact each listed DVBE, for verification of the bidder's submitted DVBE information. Failure to submit the letter of commitment as specified, will be grounds for bid rejection.

OPTION B – GOOD FAITH EFFORT (GFE) performance and documentation requirements must be completely satisfied prior to bid submission. Perform and document the following Steps 1 through 5 on both sides of the attached DVBE1. Failure to document GFE Steps 1 through 5 as instructed, which includes properly completing and submitting the DVBE1, will result in rejection of the bid. Note: Step 3, Advertisement, is required unless specifically waived for this solicitation by CDE.

Step 1 Awarding Department - Contact the CDE Contracts Office at (916) 322-3035 for assistance in identifying DVBEs. Fully document this contact on DVBE1 (page 2).

Step 2 Other State and Federal Agencies, and Local Organizations

STATE Contact the Department of General Services, Procurement Division's (DGS-PD) Office of Small Business and DVBE Certification (OSDC) to obtain a list of certified DVBEs by telephone at (916) 322-5060 for the 24-hour automated telephone system or (916) 375-4940 for the receptionist during normal business hours. This information can also be obtained by searching the online database at <http://www.pd.dgs.ca.gov/smbus>. Begin by selecting Certified Firm Inquiry Services, and then search by using either the Keyword Search (recommended) or the Standard Query options. This contact must be fully documented (including copies of online database searches) and the results described on the DVBE1 (page 2).

FEDERAL Search the U.S. Business Partner Network online database (Central Contractor Registration) at <http://www.ccr.gov> to identify potential DVBEs. Use the Dynamic Small Business Search and select these minimum options; select CA under "State"; select Service Disabled Veteran under "Other Ownership Data"; and "Search Using These Criteria" at the page bottom. The database takes a few moments to query, and then the list will appear on your screen. You may select other criteria to focus your search. This contact must be fully documented (including copies of online database searches) and the results described on the DVBE1 (page 2).

LOCAL Contact at least one local DVBE organization to identify DVBEs. For a list of local DVBE organizations, please refer to the DVBE Resource Packet that may be accessed online (<http://www.pd.dgs.ca.gov/smbus> - select "DVBE Resource Packet") or obtain a hardcopy by requesting it from DGS-PD Office of Small Business and DVBE Outreach and Education (see the Resources & Information page). This contact must be fully documented (including copies of online database searches) and the results described on the DVBE1 (page 2).

Step 3 Advertisements are mandatory unless otherwise indicated herein. The purpose of the advertisements is to obtain interested DVBE subcontractors and/or suppliers for the specific bid and resulting contract; therefore, general interest advertisements do not comply with the intent of this step. Advertisements must be specific enough to encourage responses from potential DVBE subcontractors/suppliers.

CONTENT REQUIREMENTS: Include all of the following in the advertisement(s): (1) company name; (2) contact name; (3) address; (4) telephone and facsimile (if applicable) numbers; (5) e-mail address (if applicable); (6) name of awarding department and name of solicitation; (7) the type goods and/or services which the bidder is soliciting (commercially useful function); (8) the location of the work to be performed; and (9) the due date for receiving DVBE responses.

HOW MANY & WHERE TO PUBLISH: CDE requires advertisements to be published in two separate publications, in one of the following ways:

- ?? In at least one each "Trade" paper and "Focus" paper, or
- ?? In at least one each "Trade" paper and "Dual Purpose" publication (fulfilling both trade and focus requirements as defined in 2CCR, Section 1896.61(k)), or
- ?? In at least one each "Focus" paper and "Dual Purpose" publication (fulfilling both trade and focus requirements as defined in 2CCR, Section 1896.61(k)), or
- ?? In **two** "Dual Purpose" publications (fulfilling both trade and focus requirements as defined in 2CCR, Section 1896.61(k)).

See the DVBE Resource Packet for a list of acceptable publications and definitions of "Trade" and "Focus" papers. Access online at (<http://www.pd.dgs.ca.gov/smbus> - select "DVBE Resource Packet").

WHEN: Ads must be published after the CDE solicitation release date and at least 14 days prior to the bid due date, unless a different time period is expressly established in this solicitation.

DOCUMENT & SUBMIT: DVBE1 (page 2), document the publication names in which the advertisements were published, the contact name and phone number, and date of publication. Attach copies of the advertisements to the DVBE1.

Step 4 Invitations to Participate

WHO: Invite (solicit) DVBEs who can provide relevant goods and/or services (commercially useful function) relevant to this solicitation. Conducting Steps 1 through 3 produces a list of DVBEs from which potential DVBEs may be chosen. Bidders are advised to contact as many DVBEs (who provide relevant goods and/or services in the applicable location(s)) as possible. Non-California-certified DVBEs are not eligible -- refer those DVBEs to the OSDC to learn about certification (see the Resources & Information page for contact information).

FOR WHAT: Solicit DVBEs for goods and/or services relevant (commercially useful function) to this solicitation. The bidders shall not make a predetermination that no DVBEs are able to perform without first contacting and soliciting participation. This allows DVBEs to respond whether they can or cannot provide any goods or services related to the solicitation, and provides a bidder with responses for consideration.

HOW TO INVITE & CONTENT REQUIREMENTS: Written invitations (solicitations) are required. At a minimum, invitations must contain all of the following: (1) company name; (2) contact name; (3) address; (4) telephone and facsimile (if applicable) numbers; (5) e-mail address (if applicable); (6) name of awarding department and name of solicitation; (7) the type goods and/or services which the bidder is soliciting (commercially useful function); (8) the location of the work to be performed; and (9) the due date for receiving DVBE responses.

WHEN: Provide DVBE's with a reasonable time period to receive and respond to the invitation and to be considered for participation (described in Step 5) prior to bid submission.

DOCUMENT & SUBMIT: Bidders must document the contacts on DVBE1 (page 1), Section A. Attach additional copies (use page 3) of DVBE1 A as necessary to list DVBE contacts. Attach a copy of: (1) each invitation or offer sent by letter, fax or e-mail; and (2) confirmation of receipt. Failure to include copies of the written invitations and receipt confirmations will result in the rejection of the bid.

Step 5 Consider all responding DVBEs for contract participation. The same evaluation criteria must be applied to each potential DVBE subcontractor/supplier offering the same goods and services (commercially useful function). Document on DVBE1 (page 1), Section A, any firm(s) selected for participation; or, if not selected, document the reason for non-selection (must be based on business needs of the contract). Attach additional copies of DVBE1A (use page 3) as necessary to list all of the DVBE contacts.

RESOURCES AND INFORMATION

For assistance in preparing a responsive participation document, **contact the CDE Contracts Office at (916) 322-3050**. In accordance with Public Contract Code Section 10115.2(b)(3), bidders must advertise in trade and focus publications unless the requirement is waived. The Department of General Services, Procurement Division (DGS-PD) publishes a list of trade and focus publications to assist bidders in meeting this requirement. To obtain the list, contact the DGS-PD Office of Small Business and DVBE Outreach and Education and request the "DVBE Resource Packet", or access online (<http://www.pd.dgs.ca.gov/smbus> - select "DVBE Resource Packet").

U.S. Business Partner Network *formerly Pro-Net*
(Central Contractor Registration)
*Internet contact only –<http://www.ccr.gov>
Dynamic Small Business Search button*

FOR:
Service-Disabled Veteran-owned businesses in California
(Verify California certification for each DVBE)

Local Organizations (see the DVBE Resource Packet available from DGS-PD DVBE Program Section listed below)

FOR:
List of potential DVBE subcontractors

DGS-PD Office of Small Business and DVBE Certification (OSDC)

707 Third Street, Room 400, West Sacramento, CA 95605
Website: <http://www.pd.dgs.ca.gov/smbus>
24-hour automated information
& document requests: (916) 322-5060
Receptionist: (916) 375-4940
Fax: (916) 375-4950

FOR:
Directory of Certified DVBEs
Certification Applications
Certification Information
Certification Status, Concerns

DGS-PD Office of Small Business and DVBE Outreach and Education

707 Third Street, 2nd Floor, West Sacramento, CA 95605
Voice, 8 am—5 pm: (800) 559-5529
Fax: (916) 375-4597

FOR:
DVBE Program Participation Requirements
DVBE Program Info. and Statewide Policy
DVBE Resource Packet
DVBE Business Utilization Plan
Small Business/DVBE Advocates

Advertisement Format Example

This example offers a suggested format that includes required information outlined in Option B, Good Faith Effort, Step 3. Substitute the applicable information for the bolded, italicized words.

DVBEs are invited to participate as a potential subcontractor/supplier to perform a commercially useful function specific to **CDE IFB or RFP No. 12345** for

ABC Test Development
Soliciting for printing services
(Commercially useful function)
DVBE responses due 1/1/2020

Contact: ***Any Company***
Jane Doe, General Manager
123 Main Street, Sacramento, CA 95814
voice: ***555/555-5555***; fax: ***555/555-5556***
or e-mail: ***jane.doe@anyco.com***

Commercially Useful Function Definition

California Code of Regulations, Title 2, § 1896.61(l): The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of Section 1896.61(f); is certified in accordance with Section 1896.70; and provides services or goods that contribute to the fulfillment of the contract requirements by performing a commercially useful function. A DVBE contractor, subcontractor or supplier is considered performing a commercially useful function when it meets the following criteria:

- (1) The business concern is: responsible for the execution of a distinct element of the work of the contract; carrying out its obligation by actually performing, managing or supervising the work involved; and performing work that is normal for its business services and functions, and
- (2) The business concern is not further subcontracting a greater portion of the work than would be expected by normal industry practices.

State of California

Documentation of Disabled Veteran Business Enterprise Program Requirements

CDE Form DVBE1 (1-04)

Designation Of Option Check the appropriate box(es) to indicate the selected option(s) complete the applicable sections and attach the required supporting documentation. Read all instructions carefully prior to completing this form. Remember that only California certified DVBEs who can provide related goods and/or services may be used to satisfy these solicitation requirements.

☐ **OPTION A – I commit to meeting the full DVBE contract participation requirement.**

Complete Section A below.

☐ **OPTION B – I performed and documented a Good Faith Effort (GFE) in an attempt to obtain DVBE participation.**

Complete Section A below for GFE Steps 4 & 5 and Section B (page 2) for GFE Steps 1–3.

A. Full information must be provided.

For contract participation commitment, at least one DVBE must be listed. DVBEs must perform a commercially useful function. List the specific goods and/or services with the percentage value that the DVBE(s) commits to provide. Attach additional pages to list all other DVBE subcontractors/suppliers. During contract performance, all requests for substituting named DVBEs must be made in accordance with the provisions of 2CCR, Section 1896.64(c).

For Good Faith Effort (GFE), use this section to document your first completed contacts with (Step 4), and consideration of (Step 5) relevant DVBEs. Business reasons for non-selection must be documented. Attach additional pages (use page 3) to list all other DVBE contacts. Copies of all written invitations, delivery/receipt confirmations and copies of web searches must also be attached and submitted with the bid.

Date Contacted	DVBE Company Name & OSDC Reference #		
----------------	--------------------------------------	--	--

DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
-------------------	----------------------------	----------------------	-----------------------

Street Address, City, State and Zip Code			
------------------------------------------	--	--	--

OR	<input type="checkbox"/> Yes, I am a DVBE or will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

Date Contacted	DVBE Company Name & OSDC Reference #		
----------------	--------------------------------------	--	--

DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
-------------------	----------------------------	----------------------	-----------------------

Street Address, City, State and Zip Code			
------------------------------------------	--	--	--

OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

ATTACH ADDITIONAL PAGES (use page 3) TO LIST ALL OTHER DVBE CONTACTS

Go to page 2, Section B to continue Good Faith Effort documentation

State of California

Additional Disabled Veteran Business Enterprise Contacts

CDE Form DVBE1 (1-04)

B.

Documentation of Good Faith Effort Steps 1, 2 and 3—Remember to carefully read all instructions prior to completing this form. Please refer to the Resources & Information page for detailed contact information and a sample advertisement format

STEP 1. Contact the CDE at (916) 322-3035 for assistance with identifying potential DVBE subcontractors/suppliers, **and document this contact as required.**

Date Contacted	Contact Name	Telephone Number ()
Describe Result		

STEP 2. Contact all of the following and document contacts as required: Other state and federal agencies and local organizations to identify potential DVBE subcontractors/suppliers. Attach copies of online database searches.

Other State Agency – Procurement Division, OSD, Certification Office

Phone Contact OR Online Search	Date	Telephone Number (916) 322-5060 (916) 375-4940	Contact Name	<input type="checkbox"/> I contacted the Certification Office for a list of California certified DVBEs.
	Date	Internet Address http://www.pd.dgs.ca.gov/smbus		<input type="checkbox"/> I searched the Certification Office's online database to identify California certified DVBEs.
Describe Result				

Federal Agency - U.S. Business Partner Network (Central Contractor Registration) online database, *Dynamic Small Business Search*

Date	Internet Address http://www.ccr.gov	<input type="checkbox"/> I searched the federal online database for California DVBEs.
Describe Result		

Local DVBE Organizations – Contact at least one local DVBE organization—refer to the DVBE Resource Packet for a list of acceptable contacts. (<http://www.pd.dgs.ca.gov/smbus> - select "DVBE Resource Packet")

Date	Organization Name	Contact Name	Telephone Number ()
Describe Result			

Date	Organization Name	Contact Name	Telephone Number ()
Describe Result			

STEP 3. Publish advertisements: CDE requires advertisements to be published in two separate publications, in one of the following ways: 1) in one each "Trade" and "Focus" papers; or 2) in one each "Trade" paper and a "Dual Purpose" publication; or 3) in one each "Focus" paper and a "Dual Purpose" publication; or 4) in two "Dual Purpose" publications; See the DVBE Resource Packet for a list of acceptable publications. **Attach a copy of your advertisements.**

Paper Name (list full name)	Contact Name	Telephone Number ()
Address		Date Ad Published
Paper Name (list full name)	Contact Name	Telephone Number ()
Address		Date Ad Published

State of California

Additional Disabled Veteran Business Enterprise Contacts

CDE Form DVBE1 (1-04)

This document may be used as a continuation from Section A.

Date Contacted	DVBE Company Name & OSDC Reference #		
DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
Street Address, City, State and Zip Code			
OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

Date Contacted	DVBE Company Name & OSDC Reference #		
DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
Street Address, City, State and Zip Code			
OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

Date Contacted	DVBE Company Name & OSDC Reference #		
DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
Street Address, City, State and Zip Code			
OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

Date Contacted	DVBE Company Name & OSDC Reference #		
DVBE Contact Name	Telephone Number ()	FAX Number ()	E-mail (if available)
Street Address, City, State and Zip Code			
OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:		
	Specific Goods and/or Services		% of Prime Contract _____ %
	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reason:		

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.

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